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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,979	08/18/2003	Yasuji Yui	09812.0381-00000	3411
22852	7590	05/31/2007	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			DADA, BEEMNET W	
ART UNIT	PAPER NUMBER			
	2135			
MAIL DATE	DELIVERY MODE			
05/31/2007	PAPER			

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/642,979 Beemnet W. Dada	YUI ET AL. Art Unit 2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) . Responsive to communication(s) filed on 13 February 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-9 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/5/07</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|   | 6) <input type="checkbox"/> Other: _____.                         |

## DETAILED ACTION

1. This office action is in reply to an amendment filed on February 13, 2007. Claims 1-9 have been amended. Claims 1-9 are pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gutta et al. US 2002/0125993 A1 (hereinafter Gutta) in view of Gopinath US 5,990,885.

5. As per claims 1 and 7, Gutta teaches an electronic device controlling apparatus comprising:

a communication unit for communicating with electronic devices [paragraphs 0027-028];  
storing means for storing personal identification information and personal information in correspondence with each other [paragraphs 0031, 0034 and 0035];

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detecting means for detecting personal identification information and a location where a person identified by the detected personal identification information is present [paragraphs 0030, 0034 and 0036];

searching means for searching said storing means for said personal information corresponding to said personal identification information detected by said detecting means [paragraphs 0034 and 0035]; and

controlling means which, based on said personal information searched for by said searching means, causes said communication unit to transmit a control signal to the electronic device installed in the detected location [paragraphs 0032 and 0035]. Gutta further teaches storing personal identification information and personal information in correspondence with each other [paragraphs 0031, 0034 and 0035]. However, Gutta is silent on personal information including personal preference information. Within the same field of endeavor, Gopinath teaches storing personal information that includes personal preference information and providing service according personal preference information [see Gopinath, column 4, line 50-column 5, line 8]. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teachings of Gopinath within the system of Gutta in order to further provide personalized service and enhance usability of the system.

6. As per claim 4, Gutta teaches an electronic device controlling system comprising:

an electronic device installed in each of one or a plurality of rooms [paragraph 0036];

an electronic device controlling apparatus which is connected to said electronic device installed in each of said one or said plurality of rooms and which is capable of controlling said electronic device [paragraphs 0036, 0037]; and

personal identification information transmitting means which is furnished in each of said one or said plurality of rooms and which transmits to said electronic device controlling apparatus personal identification information about a person having entered in any one of said one or said plurality of rooms [paragraphs 0036-0038];

wherein said electronic device controlling apparatus includes: a communication unit for communicating with said electronic devices [paragraphs 0036-0037];

a reception unit for receiving said personal identification information from said personal identification information transmitting means furnished in each of said one or said plurality of rooms [paragraphs 0036-0037];

detecting means for detecting the room from which said personal identification information received by said reception unit has been transmitted [paragraphs 0036-0038];

storing means for storing said personal identification information and said personal information in correspondence with each other [paragraphs 0031, 0034 and 0035];

searching means for searching said storing means for said personal information corresponding to said personal identification information detected by said reception unit [paragraphs 0034, 0035 and 0037]; and

controlling means which, based on said personal information searched for by said searching means, causes said communication unit to transmit a control signal to the electronic device installed in the room detected by said detecting means [paragraphs 0038-0040].

Gutta further teaches storing personal identification information and personal information in correspondence with each other [paragraphs 0031, 0034 and 0035]. However, Gutta is silent on personal information including personal preference information. Within the same field of endeavor, Gopinath teaches storing personal information that includes personal preference information and providing service according personal preference information [see Gopinath,

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column 4, line 50-column 5, line 8]. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to employ the teachings of Gopinath within the system of Gutta in order to further provide personalized service and enhance usability of the system.

7. As per claims 2, 3, 5, 6, 8 and 9, Gutta further teaches the device wherein said storing means stores the personal identification information and personal information about a plurality of persons as well as priority information about each of said plurality of persons, and wherein said controlling means transmits to said electronic device the control signal based on the priority information corresponding to the personal identification information detected by said detecting means [paragraphs 0034-0035].

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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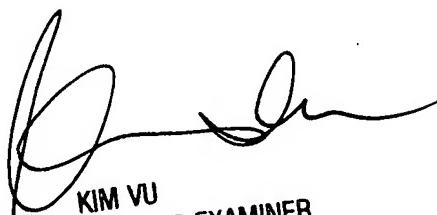
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Beemnet W Dada

May 25, 2007



KIM VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100